

# ECF Update

U.S. Bankruptcy Court  
Middle District of Alabama

October  
2003

## Version 2.3 Coming Soon

The Middle District of Alabama is scheduled to go live on ECF version 2.3 on November 17, 2003. The new version features several enhancements and modification requests, as well as redaction capabilities required by the E-Government Act of 2002. Current users of ECF need not make any changes. Users will continue to sign-in to the system through their browser. The interface and system menus remain unchanged.

Also coming soon will be case upload features and internet credit card capabilities. The case upload module significantly simplifies and accelerates new case filings. Opening a case using the case upload feature consists of only one screen on ECF in which users attach files generated from their petition software: the petition, creditor matrix, case data file and Chapter 13 plan (if applicable). In order to take advantage of case upload, you must use a commercial software package compliant with the case upload feature. A list of known vendors claiming to have case upload capability is attached. We recommend contacting your software vendor directly to find out if your current software version is compliant.<sup>1</sup>

## Mandatory .PDF Filing Begins November 1

Still filing through the mail? Beginning November 1, 2003, all paper filings other than claims submitted through the mail to the Bankruptcy Clerk for the Middle District of Alabama must be accompanied

with a 3.5" floppy disc(s) or compact disc containing electronic copies of the filings. The electronic copies must be in portable document format (.pdf).

These steps are being taken in order to reduce processing time and costs during a period of very tight budget constraints. Filings received without electronic copies or with copies in a format other than .pdf will be stamped received but not filed. Deficiencies not corrected within 2 business days may result in documents being returned to the filer.

## Scanning Tips

A number of ECF users have expressed problems uploading manually scanned documents into ECF. The reason may be that the document file size is too large for ECF to upload. Note: document size and file size are two separate things! ECF is not sensitive to the number of pages of your document; however it is sensitive to the amount of memory the file needs to be stored (file size).

A file that is over 1 megabyte will generally experience problems - if it uploads at all. In order to aid in decreasing the file size of your scanned documents, your scanner settings should be set at the following: 1) mode - Black & White; 2) dots per inch (dpi) - no greater than 300; and 3) page size - Letter 8 1/2 x 11".

*Scanning Tip courtesy of Bankruptcy Court - Eastern Virginia*

## New Front Counter Cash Policy

Beginning November 15, the front counter will not accept cash payments for anything costing more than \$20.00. Please prepare a firm check, cashiers check or money order for all payments greater than \$20.00. The Bankruptcy Court does not accept personal checks.

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<sup>1</sup> Neither the U.S. Courts nor the Administrative Office has passed on the merit of any bankruptcy petition software product or their endorsement. This information is provided without warranty of any kind and the U.S. Courts and the Administrative Office make no representations and disclaim all express, implied, and statutory warranties of any kind to any party including warranties as to accuracy, timeliness, completeness, merchantability, or fitness of the products/services offered by the entities in this article for any particular purpose.

## New Form B201 - Notice To Individual Consumer Debtor

An updated Form B201 - Notice to Individual Consumer Debtor (attached) was recently released. The form is required to be filed in all individual cases involving primarily consumer debts, and is available at [www.almb.uscourts.gov](http://www.almb.uscourts.gov). If you generate the form using bankruptcy software, please contact your software vendor for updates.

## New Fees To Go Into Effect

The Judicial Conference, at its September 2003 session, approved changes to the miscellaneous fee schedules for the bankruptcy courts, promulgated under 28 U.S.C. §1930. All changes to the fee schedules will become effective November 1, 2003.

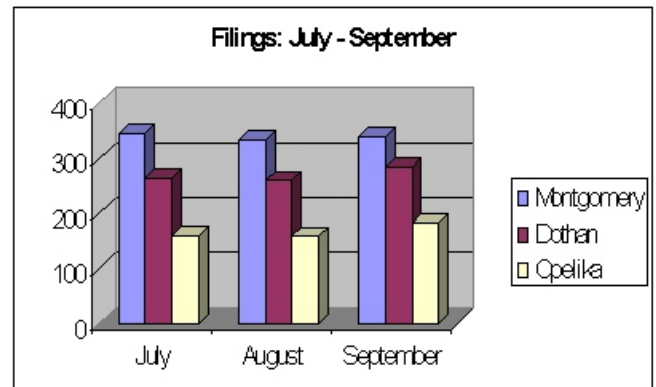
Chapter 7	\$209.00
Chapter 9	\$839.00
Chapter 11	\$839.00
Chapter 11 Railroad	\$1,039.00
Chapter 12	\$239.00
Chapter 13	\$194.00
Tape Duplication	\$26.00
Search of Records	\$26.00
Certification	\$9.00
Exemplifications	\$18.00
Returned Check	\$45.00
Filing or Indexing or Miscellaneous Paper	\$39.00
Amended Bankruptcy Schedules D, E, F, or Creditor Matrix	\$26.00
Record Retrieval	\$45.00
Motion to Lift Stay	\$150.00
Appeal	\$255.00
Cross Appeal	\$255.00
Splitting Case - Chapter 7	\$155.00
Splitting Case - Chapter 11	\$800.00
Splitting Case - Chapter 12	\$200.00
Splitting Case - Chapter 13	\$155.00

## More On Forms

There are a variety of common and standard forms available on our website. Several forms are fillable .pdf forms. What is a fillable form? It is a .pdf form that you can enter information into directly (see the attached Form B201). Once all relevant data is entered and saved, the form is ready for docketing. No conversion from another format or scanning is necessary. Go to [www.almb.uscourts.gov/forms/forms.htm](http://www.almb.uscourts.gov/forms/forms.htm) for a complete list.

## Third Quarter Filings

Filings in the Middle District continue to be heavy with a total of 2,319 new cases filed during the period July through September. Of this total, approximately 49% were Chapter 7 cases and 51% were Chapter 13 cases. September was the heaviest month with 802 new cases filed. For the year (through Sept.), filings total 6,811.



BANKRUPTCY PETITION SOFTWARE  
WITH CASE UPLOAD CAPABILITY

<b>Bankruptcy 2000*</b> NewHope Software P.O. Box 1306 Mercer Island, WA 98040	Phone: (800) 532-7114 (206) 232-9247 Web: <a href="http://www.bankruptcysoftware.com">www.bankruptcysoftware.com</a>
<b>Bankruptcy, Esq.</b> Cerenade/Multimedia Abacus Corporation 9920 S. La Cienega Blvd., #720 Inglewood, CA 90301	Phone: (800) 617-4202 (310) 645-0598 Web: <a href="http://www.mmacorp.com/DownloadBank.htm">www.mmacorp.com/DownloadBank.htm</a>
<b>TopForm</b> Matthew Bender	Web: <a href="http://www.bender.com">www.bender.com</a>
<b>EZ Filing*</b> EZ-Filing, Inc. 899 Logan Street Denver, CO 80203-3155	Phone: (800) 998-2424 Web: <a href="http://www.ezfilling.com">www.ezfilling.com</a>
<b>Best Case Bankruptcy*</b> Best Case Solutions, Inc. 600 Davis Street Evanston, IL 60201	Phone: (800) 492-8037 (847) 492-8037 Web: <a href="http://www.bestcase.com">www.bestcase.com</a>
<b>Bankruptcy Plus*</b> Cornerstone Computer Group Inc. 1225 East Sunset Drive Bellingham, WA 98226	Phone: (800) 397-8238 Web: <a href="http://www.cornerstone-computer.com">www.cornerstone-computer.com</a>
<b>Fresh\$tart\$even Bankruptcy</b> Seaview Software Inc. P.O. Box 95114 Seattle, WA 98145-2114	Phone: (800) 773-9373 Web: <a href="http://www.freshstart.com">www.freshstart.com</a>
<b>BankruptcyPRO*</b> LegalPro Systems, Inc. 6900 San Pedro, Suite 147-285 San Antonio, Texas 78216-6207	Phone: (800) 887-0939 (210) 561-5300 Web: <a href="http://www.legal-pro.com">www.legal-pro.com</a>
<b>Puritas Springs Software</b> The Cleveland Trust Building 645 McKee Trail Hinckley, OH 44233-9209	Phone: 330-278-3252 E-mail address: <a href="mailto:email@puritas-springs.com">email@puritas-springs.com</a>

\* These packages have been demonstrated to work with CM/ECF.

UNITED STATES BANKRUPTCY COURT

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR**

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The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

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**Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)**

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or party of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

**Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)**

Chapter 12 designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family - owned farm.

I, the debtor, affirm that I have read this notice.

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Date

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Signature of Debtor

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Case Number

**WHITE - DEBTOR COPY**

**PINK - COURT COPY**